

LORETTA L. BOYETT,)
)
 Plaintiff,)
)
 vs.) **Case No. CIV-18-211-SLP**
)
 NANCY A. BERRYHILL, Acting)
 Commissioner of the Social Security)
 Administration,)
)
 Defendant.)

Before the Court is the Report and Recommendation of United States Magistrate Gary M. Purcell entered November 16, 2018 [Doc. No. 23]. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted. Therefore, the Report and Recommendation of the Magistrate Judge is ADOPTED in its entirety. Plaintiff's Application for Award of Attorney Fees under the Equal Access to Justice Act [Doc. No. 20] is GRANTED in the amount of \$5,265.40, payable directly to Plaintiff. In the event the EAJA fees awarded to Plaintiff are paid to Plaintiff's counsel and Plaintiff's counsel later recovers fees pursuant to 42 U.S.C. § 406(b), Plaintiff's counsel should be required to refund the smaller award of attorney's fees to Plaintiff.

IT IS SO ORDERED this 7th day of December, 2018.